

# Obama Rejects Palestinian Statehood

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Region: [Middle East & North Africa](#)

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*Last year, US Jerusalem Consul General, Daniel Rubenstein, told chief negotiator Saeb Erekat that Washington will veto a UN Security Council resolution on Palestinian sovereignty within June 1967 borders.*

Doing so is illegal. It also carries no weight. The General Assembly alone affirms new member states by a two-thirds vote. The Security Council only recommends admissions.

Palestinians can override Washington's veto by petitioning the General Assembly through the 1950 Uniting for Peace Resolution 377. Doing so renders America's veto null and void.

Washington pledged earlier not to oppose any state seeking UN membership. Of course, its promises aren't worth the paper they're written on. The same goes for Israel. Both nations are rogue states. They govern by we're boss and what we say goes rules.

Rubenstein also threatened to cut off all aid and impose other unspecified punitive measures. In July 2012, PA official Khaled Mesmar said Washington repeated its threat.

An unnamed US diplomat told Abbas in Ramallah. He, of course, only goes through the motions of seeking official statehood recognition and UN membership with enough rights to matter. Rhetoric substitutes for follow-through.

If proper procedures are followed, both objectives are within easy reach. Abbas struck out repeatedly on both counts. Expect nothing from him ahead. He epitomizes betrayal and illegitimacy. He represents Israel and Washington, not Palestine. He's an unprincipled quisling head of state.

In June 2011, the Senate unanimously approved a measure to end funding if statehood is pursued. Weeks later, the House followed suit. It voted 407 - 6. Its resolution also called for suspending aid if Fatah/Hamas unity is consummated.

Both House and Senate resolutions are non-binding. Foreign policy is the purview of the Executive. Exceptions include the right to declare war. Congress alone may do so. It abdicated its authority over seven decades ago. It shows no signs of reclaiming it.

The State of Palestine, in fact, exists. It was proclaimed in Algiers on November 15, 1988. At the time, the PLO adopted the Palestinian Declaration of Independence.

PLO legal advisor Francis Boyle drafted it. He included safeguards to assure all sovereign state rights. His document left no wiggle room loopholes. He also made sure UN membership won't comprise them.

Palestine satisfies all essential criteria for sovereign independence and full de jure UN

membership.

All UN Charter states (including America and Israel) provisionally recognized Palestinian independence in accordance with UN Charter article 80(1) and League Covenant article 22(4).

Further, as the League's successor, the General Assembly has exclusive legal authority to designate the PLO as the Palestinian peoples' legitimate representative.

The Palestine National Council (PNC) is the PLO's legislative body. It's empowered to proclaim the existence of Palestine. According to the binding 1925 Palestine Citizenship Order in Council, Palestinians, their children and grandchildren automatically become citizens.

So are diaspora Palestinians. Those living in Israel and Jordan have dual nationalities. Occupied Territory residents remain "protected persons" (under Fourth Geneva) until a final peace settlement is reached.

Rights are achievable under leaders who pursue them. Palestinian governance always fell short. Millions deserving better never got it. They remain occupied and oppressed in limbo.

They're on their own to seek liberation PA leaders conspiratorially with Israel and Washington deny them. On September 27, Abbas addressed the General Assembly in New York. Once again he fell short.

His comments were watered down, weak-kneed, and duplicitous. He'll again seek UN non-member state status, he said. On the one hand, he promised before and backed down.

On the other, why seek less than what's easily within reach and should have been gotten long ago.

Last year, Francis Boyle emailed this writer as follows:

"I have advised the Palestinians to invoke the Uniting for Peace Resolution." Doing so overrides Washington's veto. "That get's their Admission Application to the UN General Assembly."

"It is the General Assembly that admits, not the Security Council. There they will need a 2/3ds vote of those states voting yes or no - abstentions, no votes, no shows do not count."

At the time, the Financial Times estimated they had 170 votes. They constitute 88% of UN member states. "If they get the 2/3ds vote in the General Assembly, Palestine" joins their ranks, "and you have Palestine and Israel, which everyone says they want but, of course, they do not mean it."

Boyle added that "Palestinians will always live to fight another day. And I will be there with them until my dying day. Or until Palestine is Free." For the record, this writer pledges the same thing without compromising what's right, fair, just, and long overdue.

On October 1, the London [Guardian](#) headlined "US warns European governments against supporting Palestinians at UN," saying:

It came in private memo form. Go along or else. Memo language said UN status in any form “would be extremely counterproductive.” EU governments were told Palestinians will face “significant negative consequences.” Financial sanctions were mentioned.

The memo said Palestinian statehood “can only be achieved via direct negotiations with the Israelis.” Going that route, of course, assures permanent occupation, exploitation, persecution, and failure.

European governments were urged to support US obstructionist efforts. General Assembly representatives in New York were given Washington’s ultimatum. Do it our way or else.

Washington and Israel have serious concerns about rights UN member states are afforded. In another email, Boyle explained, saying:

Once Palestine “becomes a UN Member State, (it) can ratify the Rome Statute of the International Criminal Court and then file a formal State to State Complaint against Israeli Officials, upgrading the lower level Complaint President Abbas filed at my advice.”

It can also “ratify the Genocide Convention and sue Israel for Genocide at the World Court, pursuant to the advice I had already given President Arafat and President Abbas, and get a temporary restraining Order against the Zionists, that would then go to the Security Council for enforcement, and if vetoed by the Americans, to the General Assembly for enforcement under the (1950) Uniting for Peace Resolution.”

“With these proceedings, (it may) be able to halt the Zionist settlement project of all Palestine in the immediate future.” It will also lift Gaza’s siege. Abbas refuses to do it. So did Arafat before him.

Decades of Palestinian leadership failure to do the right thing constitutes betrayal. Nothing ahead looks promising. A third Intifada is long overdue.

Courageous independent leaders are needed to inspire, organize, and direct it. Hopefully enough of them are committed and ready. Liberation won’t come any other way.

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